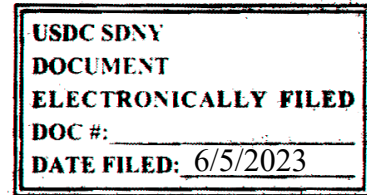


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
**SANDRA L. CULLUM, et al.,**

**Plaintiffs,**

**22-CV-09700 (RA)(SN)**

**-against-**

**ORDER**

**WYNDHAM HOTELS & RESORTS CORP., et al.,**

**Defendants.**  
-----X

**SARAH NETBURN, United States Magistrate Judge:**

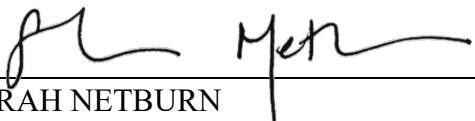
Plaintiffs have filed two motions related to discovery. See ECF Nos. 38, 39. “A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B), or when authorized by these rules, by stipulation, or by court order.” Fed. R. Civ. P. 26(d).

This case is not exempted from initial disclosure requirements, the parties have not held a Rule 26(f) conference, and the Court has not entered a Rule 16(b) scheduling order. “[A]bsent agreement or one of the[se] limited exceptions, a party seeking expedited discovery must obtain leave of the court.” Stern v. Cosby, 246 F.R.D. 453, 457 (S.D.N.Y. 2007).

The Court does not intend to issue a Rule 16(b) order until Defendants’ pending motions to dismiss—one of which seeks to compel arbitration—are resolved. The Court also finds no basis for permitting expedited discovery. Accordingly, Plaintiffs’ motions are premature, and denied without prejudice.

The Clerk of Court is respectfully directed to terminate the gavels at ECF Nos. 38 and 39.

**SO ORDERED.**

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: June 5, 2023  
New York, New York